

RECEIVED  
CENTRAL FAX CENTER

Practitioner's Docket No.: 789\_120

NOV 21 2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Yukihisa TAKEUCHI, Tsutomu NANATAKI and Iwao OHWADA

Ser. No.: 10/719,521

Group Art Unit: 2821

Filed: November 21, 2003

Examiner: Thuy V. Tran

Confirmation No.: 3363

For: ELECTRONIC PULSE GENERATION DEVICE

M.S. Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to 571/273-8300 in the Patent and Trademark Office on November 21, 2005.	
 Gina M. Husak	

## REQUEST FOR RECONSIDERATION

Sir:

The following remarks are in response to the Office Action mailed September 8, 2005. Claims 1-5, 8-9 and 11-13 are pending herein.

1. Claims 1-3, 8, 11 and 12 were rejected under §102(b) over Kano. Applicants respectfully traverse this rejection.

In the invention recited in claim 1, as shown in Figures 1 and 2, the first electrode (20) and the second electrode (16) are in direct contact with the emitter element (14), and the drive voltage is applied between the first and second electrodes. These claimed features are not disclosed in Kano.

The Examiner cited to Fig. 19 of Kano as the basis for this rejection. The structure disclosed by Kano in Fig. 19 includes a varistor device (326), a graded ferroelectric emitter

element (310), a 1<sup>st</sup> switching electrode (304) and a substrate (302). The varistor device (326) is comprised of a 2<sup>nd</sup> switching electrode (324), a metal oxide nonohmic thin film (322) and a varistor electrode (320). The varistor electrode (320) and the 1<sup>st</sup> switching electrode (304) are the only electrodes that are in "direct contact" with the graded ferroelectric emitter element (310). As such, it is these two electrodes that arguably correspond to the claimed "first and second electrodes."

However, claim 1 calls for "means for applying an alternating pulse between said first electrode and said second electrode to reverse or change polarization of said emitter element." In Fig. 19 of Kano the varistor electrode (320) does not interface with the alternating pulse; the alternating pulse interfaces with the 1<sup>st</sup> switching electrode (304) and the 2<sup>nd</sup> switching electrode (324). However, because the metal oxide nonohmic thin film (322) and the varistor electrode (320) are physically between the 2<sup>nd</sup> switching electrode (324) and the graded ferroelectric emitter element (310), the 2<sup>nd</sup> switching electrode (324) does not make "direct contact" with the graded ferroelectric emitter element (310), as required by claim 1. In view of the above, Kano does not teach each and every element of claim 1. Accordingly, Applicants respectfully request that the above rejection be reconsidered and withdrawn for claim 1.

With respect to claims 2-3, 8, 11 and 12, those claims depend from claim 1 and claim 1 defines patentable subject matter for the reasons explained above. Therefore, claims 2-3, 8, 11 and 12 define patentable subject matter and are in condition for allowance. Based on the above, Applicants request that the Examiner reconsider and withdraw this rejection of claims 2-3, 8, 11 and 12.

2. Claims 4-7, 9-10 and 13 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicants respectfully traverse this objection. The Examiner should have stated that claims 4, 5, 9 and 13 are allowed since these claims were rewritten in independent form in the Amendment filed June 24, 2005. Claims 6, 7 and 10 were cancelled in that Amendment.

**Applicants respectfully request that the PTO acknowledge receipt and consideration of the references cited in the IDS filed August 22, 2005.**

There is no record in the PTO PAIR system of the Substitute Declaration that was filed July 20, 2005. Copies of the July 20, 2005 papers and our stamped postcard receipt are attached. The Examiner is requested to confirm receipt of these papers.

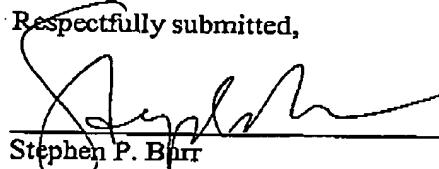
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

November 21, 2005

Date

  
Stephen P. Burr  
Reg. No. 32,970

SPB/JAW/gmh

Attachments: Copy of Substitute Declaration submitted 7/20/05 and our postcard receipt

BURR & BROWN  
P.O. Box 7068  
Syracuse, NY 13261-7068

Customer No.: 025191  
Telephone: (315) 233-8300  
Facsimile: (315) 233-8320